



छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 187]

रायपुर, शुक्रवार, दिनांक 3 मई 2024 — वैशाख 13, शक 1946

LAW & LEGISLATIVE AFFAIRS DEPARTMENT
Mahanadi Bhawan, Mantralaya, Nava Raipur Atal Nagar

Atal Nagar, the 12th March 2024

CHHATTISGARH LOWER AND HIGHER JUDICIAL SERVICE ALLOWANCES AMENDMENT ORDER, 2024

No. 2606/863/XXI-B/C.G./24.— The State Government, in due compliance with the directions delivered by Hon'ble Supreme Court of India, New Delhi in W.P. (C) No. 643/2015 All India Judges Association vs. Union of India & Ors dated 4th January, 2024, hereby, makes the following further amendment in this Department order no. 324/PSLaw/89/XXI-B/C.G./24, dated 16-02-2024, namely:-

AMENDMENT

In the said Order,-

1. In clause 9- **Medical Allowance/ Medical Facilities,-**
for sub-clause (4), the following shall be substituted, namely:-

“(4) (a) There is no necessity of reference from the Medical Officer. Straightaway, the Judicial Officers including pensioners/family pensioners shall be entitled to have consultations/treatment in the Government notified/empanelled private hospitals/Pathological Labs and seek reimbursement by submitting the bills as per the usual procedure under prevailing rules governing the members of the State Legislative Assembly. The State Government shall notify the lists of the hospitals/ dispensaries, Government and Private in each city at headquarters and taluka places of medical treatment of Judicial Officers and members of their families; and till then list of hospitals and dispensaries mentioned in Schedule A attached with this office order dated 28.02.2009 shall continue to be effective.

- (b) Since complete treatment cost is to be reimbursed and no ceiling limit is fixed as per the existing order, hence, no such scrutiny or second opinion is required as specified in Rule 7 of the Chhattisgarh Civil Services (Medical Attendance) Rules, 2013. However, if the controlling authority think it fit, he may send any medical reimbursement bill for the second opinion or scrutiny by the Chief Medical and Health Officer, Divisional Officer Ayurved/ District Ayurved Officer in charge or by the Medical Board as provided in Rule 7 of the Chhattisgarh Civil Services (Medical Attendance) Rules, 2013 in specific exceptional cases.

- (c) As the Civil Surgeon is not expected to counter sign the bills in the matter, which has not been referred by him or his subordinate, so

counter signature of Civil Surgeon shall not be necessary in the bills containing medicines out of PVMS list. However, the controlling authority may send the bills for counter signature of the civil surgeon in specified exceptional cases, if the authority deems it necessary.

- (d) Judicial Officers are entitled for treatment in any hospital apart from the hospitals mentioned in Schedule I and II of Order No. 1620/XXI-B/CG/ 08, Raipur dated 28.02.2009 without any referral letter. They Shall be entitled for reimbursement of expenditure to the extent of their entitlement as prescribed, had they got themselves treated in any notified/ Government hospitals. But in such cases prior intimation shall be given by the Judicial Officer specifying reasons which justify the treatment in such hospitals to the controlling authority:

Provided that, reimbursement of travel by air/rail/car/bus, in such cases shall be subject to orders/ circulars issued by the Government as are applicable to other Government Servants of the State:

Provided further that, circular relating to medical treatment aboard issued by the department of Public Health and Family Welfare shall be applicable to Judicial Officers as applied to other Government servants of the State.

- (e) The Doctor/ Physician/ Officer in Charge of the hospital or the attending surgeon/Physician under whom the treatment is taken shall be the Authorized Medical Attendant for the purpose of signing the essentiality certificate and cash memo(s) enclosed with the medical reimbursement bills in respect of treatment taken by the Judicial Officers in hospitals other than those notified by the State Government. When medical attendant himself is not the attendant, the Officer-in-charge of the hospital where treatment is taken by the Judicial Officer shall be the "Authorized Medical Attendant" for the purpose of Counter signature in Form 2 or issuing "essentiality certificate".
- (f) In regard to Judicial Officers governed by CGHS, the existing procedure which is quite simple and systematic, can be followed.
- (g) The Principal District Judges or Registry of High Court [in respect of Principal District Judge] shall be empowered to address credit letters to the concerned hospitals where the Judicial Officer or Judicial Pensioner/Family Pensioner has been or to be admitted as inpatient.
- (h) For the Pensioners and Family Pensioners, a Medical Card on the lines of what is being issued in Delhi as shown in **Appendix I** shall be issued by the Principal District Judge.

- (i) The expenditure incurred towards inpatient treatment or for serious ailments requiring more or less continuous treatment shall be processed and sanctioned by the Principal District Judges or other authorized Officer of that rank or as the case may be by the Registry of the High Courts.
- (j) In the case of emergency, the Judicial Officer, serving & retired as well as the family pensioner can take treatment in any nearest private hospital – not necessarily, Government notified hospitals and seek reimbursement as per the usual procedure. If necessary, Credit letter shall be issued for this purpose, as prescribed in **sub-clause (g)**.
- (k) On submission of the estimate given by the recognized/empanelled hospital, 80% shall be sanctioned as advance, subject to preliminary scrutiny by the Principal District Judge or a District Judge of equivalent rank authorized by the Registry of the High Court. The balance shall be reimbursed on certification by the designated Civil Surgeon or Official of the Directorate of Medical & Health Services as the case may be. If the Government approved rates are not available for any particular item, the certifying officer shall have due regard to the rates generally charged in the hospitals concerned. Though there needs to be scrutiny before sanctioning the payment in view of the tendency to exaggerate the estimates, the extent of disallowance shall be minimal and the reasons for disallowance shall be disclosed by the certifying authority. The bills sent by the District Judge for scrutiny of the designated Civil Surgeon/Officer of Directorate shall be cleared within a maximum period of one month from the date of receipt.
- (l) The retired Judicial Officers and the family pensioners who have settled down in another State shall have the facility to claim medical reimbursement/advance from the State from which s(he) is drawing pension/family pension.
- (m) The cost of treatment including room charges/tests undergone in any Government/Government notified/recognized hospitals/pathological labs in an emergency or otherwise shall be reimbursed to the serving officers on tour (official or private purpose) to another State or settled in another State after retirement even though it is not recognized hospital/lab in the State in which the officer is serving or had served.”

APPENDIX-I

Proforma for Medical Card			
Name of the Officer.....			
Father's Name.....			
PPO No.....			
Details of Family Members-			
S.No.	Name of Family Member	Age	Relation
Date of Issue			
(Signature of Issuing Authority)			
Name/ Designation/Seal			

This sanction has been accorded by the Department of Health and Family Welfare and Medical Education vide Dispatch No. 3154/ACS/Public Health and Family Welfare and Medical Education, dated 04.03.2024 & 06.03.2024 and Finance Department Dispatch No. 82/2024/Finance/Rules/Four, dated 16.02.2024.

Sd/-

(Shahabuddin Qureshi)
Additional Secretary.